



General Assembly

January Session, 2015

Amendment

LCO No. 6405



Offered by:
REP. MINER, 66th Dist.

To: House Bill No. 6483

File No. 462

Cal. No. 291

"AN ACT ESTABLISHING A TASK FORCE TO STUDY GROUP HOME DISTRIBUTION."

1 After the last section, add the following and renumber sections and
2 internal references accordingly:

3 "Sec. 501. Section 8-3e of the general statutes is repealed and the
4 following is substituted in lieu thereof (*Effective October 1, 2015*):

5 (a) No zoning regulation shall treat the following in a manner
6 different from any single family residence: (1) Any community
7 residence that houses six or fewer persons with intellectual disability
8 and necessary staff persons and that is licensed under the provisions of
9 section 17a-227, (2) any child-care residential facility that houses six or
10 fewer children with mental or physical disabilities and necessary staff
11 persons and that is licensed under sections 17a-145 to 17a-151,
12 inclusive, [(3) any community residence that houses six or fewer
13 persons receiving mental health or addiction services and necessary
14 staff persons paid for or provided by the Department of Mental Health

15 and Addiction Services and that has been issued a license by the
16 Department of Public Health under the provisions of section 19a-491, if
17 a license is required, or (4)] or (3) any hospice facility, including a
18 hospice residence, that provides inpatient hospice care and services to
19 six or fewer persons and is licensed to provide such services by the
20 Department of Public Health, provided such facility is (A) managed by
21 an organization that is tax exempt under Section 501(c)(3) of the
22 Internal Revenue Code of 1986, or any subsequent corresponding
23 internal revenue code of the United States, as from time to time
24 amended; (B) located in a city with a population of more than one
25 hundred thousand and within a zone that allows development on one
26 or more acres; and (C) served by public sewer and water.

27 (b) Any resident of a municipality in which such a community
28 residence or child-care residential facility or any community residence
29 that houses six or fewer persons receiving mental health or addiction
30 services and necessary staff persons paid for or provided by the
31 Department of Mental Health and Addiction Services and that has
32 been issued a license by the Department of Public Health under the
33 provisions of section 19a-491, if a license is required, is located may,
34 with the approval of the legislative body of such municipality, petition
35 (1) the Commissioner of Developmental Services to revoke the license
36 of such community residence on the grounds that such community
37 residence is not in compliance with the provisions of any statute or
38 regulation concerning the operation of such residences, (2) the
39 Commissioner of Children and Families to revoke the license of such
40 child-care residential facility on the grounds that such child-care
41 residential facility is not in compliance with the provision of any
42 general statute or regulation concerning the operation of such child-
43 care residential facility, or (3) the Commissioner of Mental Health and
44 Addiction Services to withdraw funding from such community
45 residence on the grounds that such community residence is not in
46 compliance with the provisions of any general statute or regulation
47 adopted thereunder concerning the operation of a community
48 residence.

49 Sec. 502. Section 8-3f of the general statutes is repealed and the
50 following is substituted in lieu thereof (*Effective October 1, 2015*):

51 No community residence or child-care residential facility
52 established pursuant to section 8-3e, as amended by this act, or any
53 community residence that houses six or fewer persons receiving
54 mental health or addiction services and necessary staff persons paid
55 for or provided by the Department of Mental Health and Addiction
56 Services and that has been issued a license by the Department of Public
57 Health under the provisions of section 19a-491 if a license is required,
58 shall be established within one thousand feet of any other such
59 community residence or child-care residential facility without the
60 approval of the body exercising zoning powers within the
61 municipality in which such residence or facility is proposed to be
62 established."

This act shall take effect as follows and shall amend the following sections:

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| Sec. 501 | <i>October 1, 2015</i> | 8-3e |
| Sec. 502 | <i>October 1, 2015</i> | 8-3f |